

AGENDA MATERIAL

DATE 11-17-20 ITEM NO. RA 15

From: Bonnie Poulos [REDACTED]

Sent: Sunday, November 15, 2020 1:19 PM

To: District1 <District1@pima.gov>; DIST2 <DIST.2@pima.gov>; District3 <District.3@pima.gov>; District4 <District4@pima.gov>; District5 <District5@pima.gov>; Chris Poirier <Chris.Poirier@pima.gov>

Subject: Item #15 on Nov. 17, 2020 Agenda relating to Sign Standards

Although the process of updating the Pima County sign code as a result of the Reed vs Town of Gilbert, AZ legal decision has taken several years, I was unable to obtain a copy of the proposed new ordinance until two days ago, just 4 days before the Board hearing. That is insufficient time to evaluate the changes and compare them to the code that it is replacing.

In the statement from staff it is stated that the "*new sign standards [are] intended to update and clarify sign standards, reflect current sign technology and trends, encourage good sign design, and protect Dark Skies and scenic values. The new standards affect the size, height, illumination, location, and other features of the time, location and manner of signs*". It is not clear in communications from staff how the proposed new ordinance complies with the legal decision that prompted its revision in the first place. Have the residents of Pima County asked this Board to promote great numbers of signs, larger signs, more illuminated signs or to re-write the entire sign code ordinance?

*The new ordinance should address primarily the changes necessary under the legal requirements of Reed vs Gilbert. The changes should represent an update and should not attempt to re-write the ordinance to advance desires by commercial and other interests for more signage in our community.

*Any revision to the County's sign code should have a 1-2 year sunset clause so that the changes can be revised if needed without threat of legal action under Prop. 207.

Please do not vote on this item at your hearing but send it back to staff for an ordinance that reflects primarily the changes needed to comply with Reed vs Gilbert.

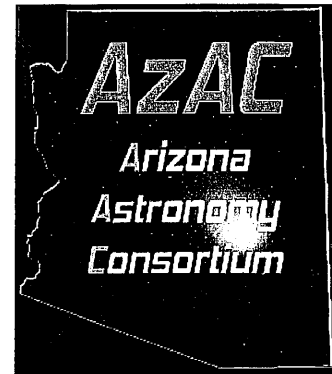
Thank you for your consideration.

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November 13, 2020

Pima County Board of Supervisors
201 N. Stone Ave.
Tucson, AZ

Re: Nov. 17th Meeting Agenda Item - Sign Code Text Amendment



info@azastronomy.org

Dear Pima County Supervisors,

As representatives of the professional observatories in the State of Arizona, we want to express our concern about the remaining potential for negative impact on facilities in Southern Arizona should all the revisions to the Sign Code be adopted as proposed. First of all, we acknowledge that County Staff were proactive in contacting selected representatives of the “dark skies” community as they were developing the revisions and that there are consequently some provisions that offer both protections and incentives for reduced lighting impact. We are grateful that the Planning and Zoning Commissioners, in their review of the proposed amendment, opted to retain the prohibition against Electronic Message Displays, which are particularly damaging to dark skies at observatory sites.

We very much appreciate that there is a statement of intention for the County to retain its commitment to protection of dark skies. We propose to work with you and your successors on a strategic approach to stop and reverse the growth of artificial sky glow in Pima County. The restoration of the natural desert sky would benefit not only astronomy but also tourism and residential property values, core elements of the economic vitality of the County. Until we have the framework of a comprehensive plan that would have mechanisms for increasing lighting through offsetting decreases elsewhere, the professional astronomy community must react on a case-by-case basis. Therefore, we have comments on the proposed Sign Code Text Amendment.

In the version now being presented, we have two items of concern.

- 1) **The increase in the number and area of permitted lighted signs.** Although there is a welcome incentive to reduce the illumination and blue light content on a per sign basis, the ~30% decrease in light per sign is more than offset by the increases in illuminated sign area proposed, ranging up to a factor of two or more, depending on usage zone. We are concerned in principle about any change in regulation that increases the light that is reflected or scattered into the sky above the metropolitan area.

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*University of Arizona
Steward Observatory*

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Planetary Sciences Department*

Kitt Peak National Observatory

Fred Lawrence Whipple Observatory

Vatican Observatory

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- 2) **The absence of a sunset clause.** The City-County Outdoor Lighting Code Committee is actively engaged in revising the OLC. The addition of a sunset clause would force a reconciliation of anticipated discrepancies. Without it, Proposition 207 from 2006, as realized in State Statute ARS 12-1134, can form the basis for claims from sign owners and operators that they have vested rights, even in specific modes of operation.

Southern Arizona hosts the world's largest optical telescope and 10% of the world's largest telescopes. The Department of Energy, the National Science Foundation, the Smithsonian Institution and NASA, along with US universities and foreign institutions, invest tens of millions of dollars annually in the operation and upgrade of the Southern Arizona observatories. A basis for their long-term scientific investment strategy is their perception of the commitment of local government to protecting that national and international investment. In our view, approval of all the revisions of the Sign Code as currently proposed would risk making a statement that Pima County has priorities other than protecting that investment, a risk that would be wise to avoid.

Dr. Richard F. Green
Assistant Director for Government Relations
Steward Observatory
University of Arizona

Dr. Stephen Larson
Senior Staff Scientist
Lunar and Planetary Laboratory
University of Arizona

Ms. Amy C. Oliver, MLS
Public Affairs Officer
Fred Lawrence Whipple Observatory
Smithsonian Astrophysical Observatory

Dr. G. Grant Williams
Director, MMT Observatory

Dr. Donald R. Davis
Director Emeritus
Planetary Sciences Institute

Fr. Paul Gabor, S.J., Ph.D.
Vice-Director, Vatican Observatory

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